

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION

MELVIN HINES, :
: Petitioner :
: VS. :
: Warden MICHELLE MARTIN, : **NO. 7:06-cv-8(HL)**
: Respondent : **O R D E R**

Before the Court is petitioner **MELVIN HINES'** motion to reconsider (Tab # 11) the undersigned's March 6, 2006 order dismissing petitioner's habeas petition. Petitioner failed to present his claims on the standard 28 U.S.C. § 2254 required by this Court and to either submit the \$5.00 filing fee or execute and return a financial affidavit seeking leave to proceed IFP, as directed by this Court in an order dated January 30, 2006. In his motion to reconsider, petitioner insists that he has "done everything [he's] been instructed to do."

The Court's docket reveals that on or about March 16, 2006, petitioner did, in fact, file a fully completed section 2254 habeas petition. However, because petitioner apparently failed to include the original case number on his petition, and because the instant case is now closed, the Clerk's office treated this filing as a new habeas petition and assigned it a new case number, 6:06-cv-20(HL). Because petitioner's case is presently pending in this Court under 6:06-cv-20(HL), petitioner's motion to reconsider is **DENIED**.

SO ORDERED, this 27th day of April, 2006.

s/ **Hugh Lawson**
HUGH LAWSON
UNITED STATES DISTRICT JUDGE

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